

03560.001250.1



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	:	Examiner: D. Tugbang
HIROSHI SUGITANI ET AL.	)	
	:	Group Art Unit: 3729
Application No.: 09/360,453	)	
	:	
Filed: July 26, 1999	)	
	:	
For: INK JET HEAD, INK JET	)	
APPARATUS, AND METHOD	:	
OF AND APPARATUS FOR	)	
MANUFACTURING THE HEAD	:	

Commissioner for Patents  
Washington, D.C. 20231

STATEMENT BY LEONARD P. DIANA  
UNDER MPEP § 711.03(c)II

Sir:

I, the undersigned LEONARD P. DIANA, declare and say that:

1. I am a partner in the law firm of Fitzpatrick, Cella, Harper & Scinto ("our firm"), 30 Rockefeller Plaza, New York, New York 10112, and have been with the firm since February, 1984.

2. I have searched the file jacket for the above-identified application and our firm's docketing records and have concluded that these records indicate that an Office Action, allegedly mailed by the Patent and Trademark Office on or about April 5, 2001, for the above-identified application, has not been received by our firm.

3. More specifically, I have reviewed our firm's docketing records for May 5, 2001, the day on which a response to the Office Action was due and the record where an entry for a response would have been entered had our firm received the mailed Office Action. After reviewing our firm's docketing records for May 5, 2001, I have determined that no entry for a response to the Office Action was entered and therefore have concluded that the mailed Office Action was not received by our firm. A copy of our firm's docketing records for May 5, 2001, is submitted herewith. It is noted that portions of those docketing records have been redacted to prevent disclosure of confidential information.

4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title XVIII of United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

Dated 8 March 2002

Leonard P. Diana  
LEONARD P. DIANA